

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval For Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 18, Mesa CCA for Southern Arizona VA Health Care System (SAVAHCS) a Justification and Approval for Other Than Full and Open Competition. Transaction Number: 678-12-3-8250-0005.
2. **Nature and/or Description of the Action Being Processed:** This procurement is for one Software Maintenance Renewal. This JOFOC comes as a result of a current, on-going requirement at SAVAHCS, OI&T team from Medical Automation Systems, Inc. This point of care information management system is used by the Diagnostics Lab as well as Quality Control (QC). The Southern Arizona VA Health Care System requires this service to maintain RALS system Software package and site licensing requirements for a firm-fixed price of \$41,700.00 to include base year and four option years by April 09, 2012.
3. **Description of Supplies/Services Required to Meet the Agency Needs:** The following services are required by the SAVAHCS. The Remote Automated Laboratory Systems (RALS) Software technology System License Agreement is part of the point of care testing connectivity software that is used to post patient test results to the electronic patient record (VISTA/CPRS). This software allows the end user to monitor tests done at the point of care and to meet numerous accreditation requirements for laboratory tests performed at the Southern Arizona VA Health Care System 3601 S. 6th Avenue, Tucson, AZ 85723. This module is specific for instrumentation used for laboratory coagulation tests performed at the point of care. The RALS software is used to post patient results to the permanent record. The software license agreement ensures a continuity of services for this medical center and it's off site locations. The contractor Medical Automation Systems (MAS) shall provide RALS Plus ITC Coag devices module and interfacing and download sites to include:
 - a. Software Components:
 - RALS-Plus device software module for the ITC Coag device
 - RALS-LIS HL7 Interface (LIS is Vista).
 - RALS Remote Connect (RRC), if applicable
 - Other third party software, depending on system specifications.
 - b. Other Components:
 - RALS User Documentation will be provided in the current medium.Standard Training, instruction and consultation for the Customer required for the use of the RALS STS.
 - RALS Download Site connectivity
 - c. Hardware Components Provided by MAS
 - RALS Dataports if applicable
 - Information Management System

Standard training, instruction, and consultation for the customer required for the use of the RALS STS.

The term of this license agreement shall commence as of the license effective date and shall remain in effect as long as the STS is licensed hereunder. The term of each license granted hereunder shall remain in effect for duration of the purchase order. The VA only commits to purchase orders of up to a year (12 months). The contractor's performance must be in compliance with all applicable state, federal and local laws and regulations. The Warranty is in effect for the entire duration of the contract. The contractor provides 24 hour, 7 days a week Technical Support by calling 1-877-627-7257. The Technical Support is available Monday through Friday, 8:30 a.m. to 5:30 p.m., EST. After business hours including weekends and holidays, an answering service is available with a 30 minute call back. Preventative Maintenance shall include: The Contractor shall provide free upgrades at no cost to the medical center. The Contractor provides documentation of services performed. 24-hour Technical Support is available Monday through Friday, 8:30 A.M. to 5:30 P.M., EST. The phone number is 1-877-627-7257. After business hours including weekends and holidays, an answering service is available with a 30 minute call back. Period of performance will be for 1 year with total time starting April 09, 2012 through April 08, 2017. (See attached SOW)

4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(g), as implemented by FAR 6.302-1.

- (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
- () (2) Unusual and Compelling Urgency per FAR 6.302-2;
- () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
- () (4) International Agreement per FAR 6.302-4
- () (5) Authorized or Required by Statute FAR 6.302-5;
- () (6) National Security per FAR 6.302-6;
- () (7) Public Interest per FAR 6.302-7;

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Medical Automation systems, Inc has executive rights to produce, distribute and maintain the software label and bundle called RALS system. No dealers qualify to work on and maintain the product; furthermore, the product can be interfaced with Vista. Medical Automation systems, Inc owns the Patent Rights to RALS system; therefore Medical Automation systems, Inc is the only vendor qualified to service and sell RALS system and no other supplies or services will satisfy Agency Requirements per FAR 6.302-1.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable.** Research on NASA SEWP and GSA eBuy revealed no qualified sources; furthermore, competition was not sought for this acquisition from these mandatory sources. Full and Open competition will be sought after one (1) year contract of the base year. The service is required by the SAVAHCS due to a previous software purchase from Medical Automation systems, Inc for RALS system. The RALS system package is the only software used to coordinate and schedule training, certification and testing of critical medical personal at the SAVAHCS. The time needed to re-train employees on a new software package or than RALS system will also affect patient care. Initial installation and setup from a new contractor will cost the government four (4) times more money when compared to Medical Automation systems, Inc. A Sources Sought Synopsis was posted to FedBizOpps (FBO) under VA25811RQ0806 from August 25th through August 29th, 2011. No contractors responded to this request (per FAR 5.202).

Other Actions: N/A

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The price offered by Medical Automation Systems, Inc., is the same rates for all of its Government clients and is reasonable when compared to market prices and market ranges for similar services and supplies from other sources. The price given is constant per year at \$8,340.00 the total with four option years is \$41,700.00. The purchase history in Vista IFCAP show (PO VA678-0P0748, VA678-8P4747) POs with trending or relatively consistent pricing at about \$8870.0 per years. The cost for RALS system maintenance is fair and reasonable based on the information presented above (FAR 6.303-2(a)(7)).
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market Research was conducted. No sources are available on GSA or NASA_SEWP. The GSA eBuy FSS has no qualified sources and, research also showed that no NASA_SEWP contractor has Medical Automation systems, Inc products or service as CLINs. Full and open competition is not a good source because no dealer is available. The selection for alternate equipment with minor modification will not work at this time. This procurement award (renewal) date is projected to start April 09, 2012 (See item 6 also).
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** The maintenance renewal that is requested on this Justification and Approval is the singular property of Medical Automation systems, Inc. The time required soliciting, competing, performing source selection; installing and re-train staff will seriously interrupt patient care and facility operations. To include replacing patient diagnosis interface for telemetry uploads (average range of 300 patients). In summary, Medical Automation systems, Inc has patent rights and sole control over software and maintenance for RALS system (see FAR 6.302-1(b)(2)).
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** N/A
11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** Full and Open competition will be sought/considered during the annual renewal process if qualified sources are available, starting April 08, 2013. FBO, NASA_SEWP and GSA are acceptable sources to seek competition for software and renewal service when sources are available.

12. Requirements Certification: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


3/8/2012

X 

John Walston, MHSA
Facility Chief Information Officer
Signed by: John K. Walston 159251

Approvals in accordance with FAR 6.304

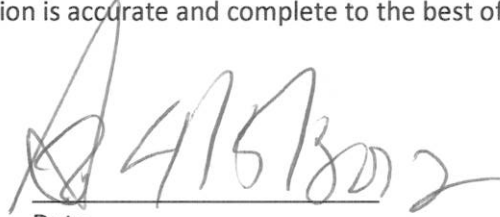
- a. **Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


Keron D. White
Supervisory Contracting Officer
18 VISN NCA

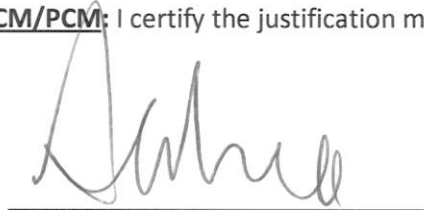

Date


- b. **VISN/PCA QA:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


Paulette Pereira
QA/Compliance Procurement Analyst
VISN18, NCA 18/SAO-West


Date

- c. **NCM/PCM:** I certify the justification meets requirements for other than full and open competition.


Sabrina J. Smith
Network Contract Manager
18 VISN


Date